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ABSTRACT

The manual is designed to assist both experienced and inexperienced Oregon Migrant Education recruiters in completing the entire range of tasks that they may encounter on the job and to provide an overview of the total job situation. The manual presents information regarding: identification: recruitment: eligibility: definitions: the national Migrant Student Record Transfer System: and U. S. Office of Education (USOE) policy, including a question-and-answer section on program eligibility using actual cases and USOE opinions. A section about home-school consultants explains the job's role, responsibilities, duties, and general and specific assignments. A section on recruitment includes recruiting techniques: tips on how to deal with families, schools, and the community: and information about the enrollment procedure. A copy of the Certificate of Student Eligibility is included with instructions for its completion. The responsibilities of state education agencies, local educational agencies, and recruiters are summarized. A glossary is provided. (SB)

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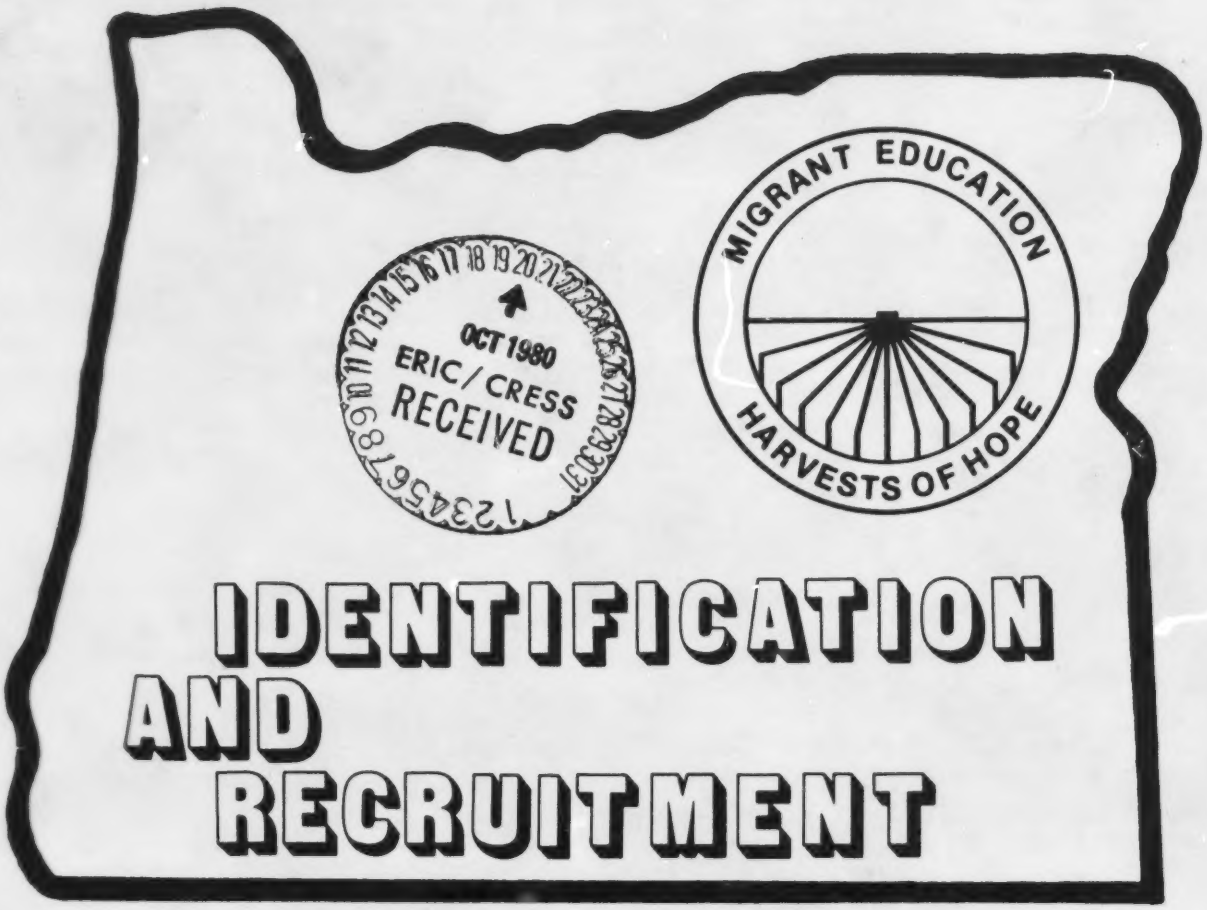

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IDENTIFICATION AND RECRUITMENT

TITLE I-M ESEA
OREGON

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RC 012351

TITLE I MIGRANT EDUCATION
OREGON POLICY

FUNCTION I - IDENTIFICATION AND RECRUITMENT

The State Department of Education State Coordinator of Migrant Education will be responsible for the identification of all areas in the State in which there is a sufficient concentration of migrant students to justify the planning and implementation of Title I-M Instructional Programs. The State Coordinator will provide technical assistance and resources to the contracted public agency which will be responsible for identification and recruitment of all students in that area who are eligible to participate in Title I-M Programs.

No Public Agency will be allocated Title I-M funds to initiate or continue Title I-M Instruction Programs unless that agency can provide evidence of a comprehensive and effective plan, and commitment to, the identification and recruitment of students eligible to participate in Title I-M Programs.

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PURPOSE

The purpose of this manual is to assist Oregon Migrant Education recruiters in completing the entire range of tasks which they may be called upon to perform in their job position.

Identifying migrant children and enrolling them into the Migrant Student Record Transfer System are acknowledged as two primary functions of the recruiter. The recruiter will be shown the process of identification and enrollment of children in the Oregon Migrant Education Program. The guidelines and examples cited within will provide the recruiter with the knowledge that will allow him/her to recognize who can be served by the program.

The recruiter can expect this manual to provide an overview of the total job situation. Within the manual you will find tips on how to deal with families and the community. Also you will find sections on working with the home and schools, presenting the program, etc.

The Recruiter's Manual has been written by people who have had experience in recruitment. It is designed to meet the needs of both experienced and inexperienced personnel.

This manual can never be considered a finished product. It is a product which will be undergoing constant change because we have a commitment to keep stride with the changing needs of both the Migrant Education Program and the populations we serve.

IDENTIFICATION AND RECRUITMENT

Section 143 of Title I of the Elementary and Secondary Education Act of 1965 states that State Educational Agencies shall be entitled to receive funds to establish or improve programs of education for migratory children of migratory agricultural workers or migratory fishers.

Migrant Education Program regulations require the State Educational Agency (SEA) to make "every reasonable effort to identify and recruit all eligible currently and formerly migratory children." The phrase "identify" reflects a requirement that the state ascertain the presence and location of eligible migrant children within the state. To "recruit" these children means to secure eligibility data, and enroll into the Migrant Education Program.

If migrant children's special educational needs are to be addressed, it is necessary to identify, certify, recruit and enroll them into the Migrant Education Program.

CHILD ELIGIBILITY

An SEA or an operating agency shall not count a child under 116.d 20 or provide program services to that child until the agency has:

(a) Determined that the child is either a currently or fomerly migratory child as defined under 116.3 (d) and

(b) Made a written record of the basis on which the child's eligibility was determined.

In determining eligibility, SEA or an operating agency may rely on credible information from any source, including that provided by the child or his or her parent or guardian. An SEA is not required to obtain documentary proof of either the child's eligibility or civil status from the child or his or her parent or guardian. (116.d56) If we are focusing our efforts on serving migratory children, it is necessary for us to understand the definitions used in the identification of migrant children.

DEFINITIONS

Migrant regulations define two categories of migratory children: "Currently migratory children" and "Formerly migratory children".

Currently Migratory Child

"Currently migratory child" means a child (a) Whose parents or guardians is a migratory agricultural worker or migratory fisher; and (b) Who has moved within the past twelve months from one school district to another to enable the child, the child's guardian, or a member of the child's immediate family to obtain temporary or seasonal employment in an agricultural or fishing activity. (116d.3)

This definition includes a child who has been eligible to be served under the requirements in the preceding sentence, and who, without the parent or guardian, has continued to migrate annually to enable him or her to secure temporary or seasonal employment in agricultural or fishing activity.

Further classification of "currently migratory children" identifies two currently migratory groups: the interstate migrant; and the intrastate migrant.

Interstate Migrant

An interstate migrant is one who has moved across the state boundaries within the past twelve months in order to enable the child, the child's guardian or a member of the child's immediate family to obtain temporary or seasonal employment in an agricultural or fishing activity.

INTERSTATE MIGRANT

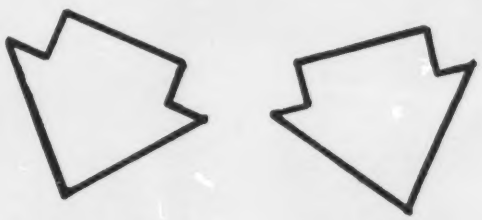
Intrastate Migrant

An intrastate migrant is one who has moved across school district boundaries within the state within the past twelve months in order to enable the child, the child's guardian or a member of the child's immediate family to obtain temporary or seasonal employment in an agricultural or fishing activity.

INTRASTATE MIGRANT

In either case (intrastate or interstate) the children qualify under the currently migratory definition as long as the move was made within the past twelve months.

CURRENTLY MIGRATORY



INTERSTATE INTRASTATE

Formerly Migratory Child

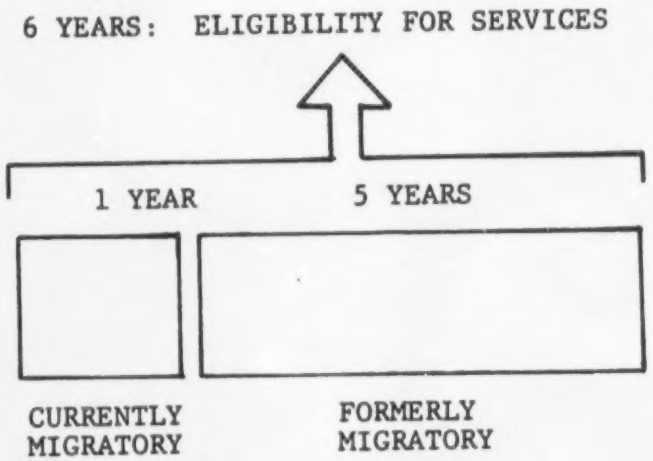
"Formerly migratory child" means a child who: (a) Was eligible to be counted and served as a currently migratory child within the past 5 years, but is not now a currently migratory child; (b) Lives in an area served by a Title I Migrant Education Project; and (c) Has the concurrence of his or her parent or guardian to continue to be considered a migratory child.

FORMERLY MIGRATORY

For the purpose of this definition, "area served by a Title I Migrant Education Project" means any portion of the geographic area that is within the legally prescribed boundaries of a local educational agency (LEA) or a combination of these agencies, and within whose boundaries there are currently or formerly migratory children who are receiving Title I Migrant Education services or who will receive these services within the current program period. (116d.3)

This means that, at some point in time (within the past five years), the child qualified as a "currently migratory" child, as defined in the regulations. It is not required that the child was actually identified and served in a project at that point in time, only that, at that prior point in time, had the child been identified and located by a Migrant Education Project, he or she would have been eligible (according to the definition of a migratory child) to be counted and served in a Migrant Education Project as a "currently migratory" child.

Note - There is a total of 6 years of program eligibility - a 1 year status as a "currently migratory child" and up to 5 additional years as a "formerly migratory child".



Now that the definitions for interstate currently migratory, intrastate currently migratory, and formerly migratory have been explained it is also necessary to know that each of these classifications is assigned a status. Status is based upon the family's movement for agricultural or fishing employment, and the length of residency in their present location:

Status 1 is interstate agriculture for a family who has moved within the past 12 months across state boundaries for agricultural purposes.

INTERSTATE AGRICULTURE

STATUS 1

INTRASTATE AGRICULTURE

STATUS 2

Status 2 intrastate agriculture, is the movement of a family across school district boundaries within the state for agricultural purposes during the past 12 months.

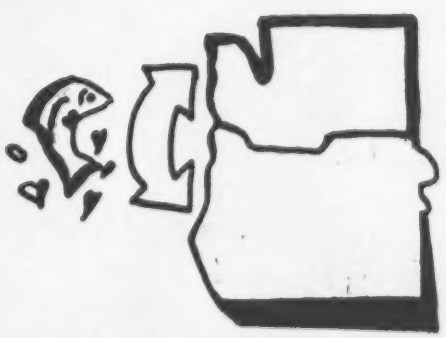
FORMERLY MIGRATORY AGRICULTURE

STATUS 3

Status 3 is for formerly migrant agricultural families who have been an interstate or intrastate agricultural migrant (as previously defined), but who has ceased to migrate within the last five years.

INTERSTATE FISHING

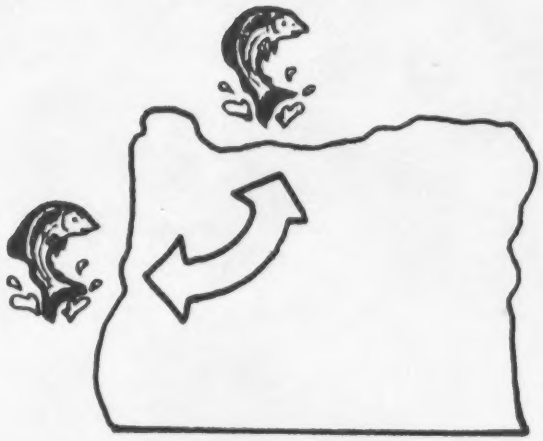
STATUS 4



Status 4 is interstate fishing which requires a family move across state boundaries within the past year for fishing activity.

INTRASTATE FISHING
STATUS 5

Status 5 intrastate fishing, is the movement of a family within the state during the past 12 months for fishing purposes.



FORMERLY MIGRATORY
FISHING
STATUS 6

Status 6 is for formerly migrant fishing families who had been an interstate or intrastate fishing migrant but have ceased to migrate within the past five years.

Analysis of the above definitions indicates that during the first year following a move from one school district to another so that a member of the child's family can find temporary or seasonal employment in agriculture or fishing, the child is classified as "currently migratory". If the child's family "settles-in" after the first year and continuing for a period not to exceed five years, the child is classified as "formerly migratory". This makes a total of six years from the date of the move into the local school district during which the child may receive services in a Migrant Education Project. The extended period of eligibility, with parental consent for the fomerly migratory children to participate in the program, will permit school officials the opportunity to continue the in-depth concentrated program of services to help these children develop their talents to the fullest extent.

Migratory Agricultural Worker

"Migratory agricultural worker" means a person who has moved from one school district to another - within the past twelve months to enable him or her to obtain temporary or seasonal employment in an agricultural activity. (116d.3)

Migratory Fisher

"Migratory fisher" means a person who has moved from one school district to another - within the past twelve months to enable him or her to obtain temporary or seasonal employment in a fishing activity. (116d.3)

Guardian

"Guardian" means: (a) A person who has been appointed the legal guardian of a child through formal proceedings in accordance with State law; or (b) A person who the SEA determines would be appointed to be the legal guardian of a child under the law of the child's domicilliary State if formal guardianship proceedings were undertaken; or (c) A person standing in place of a parent to the child. (116d.3)

It should be noted that the State Educational Agency elects not to exercise section (b) of the above definition. It should also be noted that a crew leader with whom a child is traveling does not meet the definition of "guardian." (Please refer to the U.S. Office of Education policy brief on Identification and Recruitment pertaining to the relationship of crew leader and members of his labor crew.)

Child or Children

"Child or children," except where otherwise specified, means a person or persons not above 21 years of age who, under State law, are entitled to free public education which is provided as elementary and secondary education, not above grade 12. The term also includes a person or persons who are of preschool age. (116d.3-d)

OTHER WORDS AND TERMS ARE DEFINED IN THE REGULATIONS

Agricultural Activity

"Agricultural activity" means:

(a) Any activity directly related to the production or processing of crops, dairy products, poultry, or livestock for initial commercial sale or as a primary means of personal subsistence; (b) Any activity related to the cultivation or harvesting of trees; or (c) Any activity directly related to fish farms. (116d.3)

Activities related to "crop production" include preparing the soil, planting, cultivating and harvesting of farm and orchard crops. These activities may include planting, pruning and harvesting horticultural crops such as ornamental shrubs and flowers.

"Processing of crops" includes their transportation to the processor, storing, refining, canning, or freezing.

Activities related to the production of milk, poultry, and livestock include dairy farming, chicken and turkey farming, cattle and pig farming, and the processing milk, poultry and livestock for distribution in commerce.

Activities involved directly to cultivation or harvesting of trees includes soil preparation, planting, tending, pruning, marking and felling. Normally, once the trees are ready to be transported from the site of harvesting to a processor, there is no longer a direct enough involvement in a cultivation or harvesting activity to qualify the workers as "agricultural".

However, if the trees are being transported to the processor by persons employed by the same individual or firm that supported the cultivation or harvesting activities, then those persons involved in transporting the trees can be considered to be eligible. The reasoning is as follows. In some instances, those persons involved in the direct cultivation and harvesting activities are the same persons who are employed, either simultanesously or later, to transport the trees. Also, in any event, we feel that it would be unreasonable to include some, but not other workers of the same forestry employer -- provided that we are still qualifying only those workers who are actually "migratory", those who have moved for temporary or seasonal labor.

The processing of trees, is not a qualifying activity. This means the debarking, sawing, or any other finishing activities at a mill or finishing site do not qualify.

Still under the definition of agricultural activity, we have activity directly related to fish farms. A "fish farm" is a tract of water reserved for the artificial cultivation of an aquatic life form (fish). These fish are artificially "cultivated" and are not "caught". Workers directly involved with fish farms are "agricultural" in the same sense as workers on livestock and poultry farms.

Fishing activity however, constitutes a completely separate occupational group. Therefore, we are defining two separate and different types of occupations. Both are qualifying occupations, but one is included under "agricultural activity" and the other under "fishing activity".

Fishing Activity

"Fishing Activity" means:

Any activity directly related to the catching or processing of fish or shellfish for initial commericial sale or as a principal means of personal subsistence. (116d.3)

Processing of fish also includes their transportation to the processor, storing, curing, canning, or freezing.

If a family should move into a school district to secure temporary or seasonal employment in agricultural or fishing, and the worker should later accept employment in some other kind of work, his or her employment in commerce or industry would not affect the eligibility of the child to participate in a Migrant Education Program.

If questions arise at the local school pertaining to the eligibility of a child to participate in the Migrant Education Program, these questions should be referred to the local project director, the Migrant Education Service Center (MESC), or the State Migrant Office.

U.S.O.E. POLICY BRIEFS, QUESTIONS AND ANSWERS

Q: Please define the term "recruit", Section 116d.12 (b1) as found in this section. Does it mean recruit for instruction, gathering funds, or what?

A: Section 116d.12 (b1) of the program regulations requires the SEA to make "...every reasonable effort to identify and recruit all eligible currently and formerly migratory children." The phrase "identify" reflects a requirement that the state ascertain the presence and location of eligible migrant children within the state. To "recruit" these children means to secure eligibility data, and enroll into the Migrant Education Program. This requirement does not obligate the State to "serve" (provide with actual instructional or supporting services) every eligible child, only that the SEA make a reasonable effort to be knowledgeable of the presence, location, and needs of all eligible migratory children in the State, as it conducts its statewide needs assessment, designs the statewide program, and determines which children to serve and what types of services to provide.

Q: Please quote for us the definition of an "eligible" migrant child (re: generating funds via entry into MSRTS in terms of chronological age). Section 116d.32 (b).

A: An "eligible" migratory child is any child, birth through 21 years of age, who meets the regulatory definition of either "currently migratory child" or "formerly migratory child" (Section 116d.2). Although your agency generates funds based on the full-time equivalent count of only those migratory children aged 5-17 years, those migratory children, birth through 5 years of age, and 18 through 21 years of age, are also "eligible" to be served.

Q: At what point does eligibility factor cease in the cultivation and harvesting of trees? (i.e.; when the trees are loaded on the trucks, delivered to the processing plant, or what?)

A: Section 116d.3 of the Migrant Education Program Regulations states, in part, that "agricultural activity" includes "...any activity directly related to the cultivation or harvesting of trees..." Therefore, any of the many possible types of activities involved directly in either cultivation or harvesting (e.g., soil preparation, planting, tending, pruning, marking, felling, etc.) are, of course included as qualifying activities. Normally, once the trees are ready to be transported from the site of harvesting to a processor, there is no longer a direct enough involvement in a cultivation or harvesting activity to qualify the worker as "agricultural".

However, if the trees are being transported to the processor by persons employed by the same individual or firm that supported the cultivation or harvesting activities, we then consider those persons involved in transporting the trees also to be eligible. The reasoning is as follows. In some instances, those persons involved in the direct cultivation and harvesting activities are the same persons who

are employed, either simultaneously or later, to transport the trees. Too, in any event, we feel that it would be unreasonable to include some, but not other, workers who are actually "migratory" (i.e., those who have moved for temporary or seasonal labor). The processing of trees, however, is not a qualifying activity.

Q: At what point does eligibilty cease in potato farming and harvesting? (When the potatoes are loaded on the trucks, delivered to the processing plant, or what?)

A: Section 116d.3 of the program regulations also states, in part, that "agricultural activity" includes "...any activity directly related to the production or processing of crops..." (emphasis added). Because potatoes are a "crop", activities involved in both the "production" (cultivation and harvesting) and "processing" (transportation to the processor, storing, refining, canning, freezing, etc.) of potatoes qualify the worker as "agricultural". If the further transportation of these crops is provided by workers employed by the processor, then those workers involved in the transportation of the processed crops do qualify as "migratory agricultural worker(s)". Otherwise, however, the transportation away from the processing site marks the beginning of the stage of "initial commercial sale" and the transportation would not qualify the worker as "agricultural".

Q: What is the definition of "fish farms", Section 116d.3 (d), and how does the definition relate to "fishing activity", Section 116d.3 (d)?

A: A "fish farm" is a tract of water reserved for the artificial cultivation of an aquatic life form (fish). These fish are artificially "cultivated" and not "caught", as they would be in the sense of "fishing activity". Therefore, we are defining two separate and different types of occupations. Both are qualifying occupations, but one is included under "agricultural activity" and the other under "fishing activity".

Workers directly involved with fish farms are "agricultural" in the same sense as workers on livestock and poultry farms. "Fishing, however, constitutes a completely separate occupational group ". That work is in no way related to an "agricultural activity", and as such, is included under the separate, but equally-qualifying, category of "fishing activity".

Q: Are the migratory children of illegal aliens (qualifying otherwise as migratory agricultural workers or migratory fishermen) eligible for services under the Title I Migrant Programs?

A: ...educational services under the ESEA, Title I Migrant Program are to be provided all children who meet the statutory eligibility criteria regardless of their condition of alienage.

Q: Can migratory children attending non-public schools participate in programs funded by Title IM?

A: Yes, the LEAs are required to work with all non-public schools in their districts to assure that migrant children enrolled in non-public schools receive Title IM benefits equal to those received by migrant children in the public schools in that district.

Q: Are all migratory children (of school age) of all types of migratory workers eligible for services under the Title I migrant program?

A: Mobility of the parents alone does not qualify a child under the migrant education program. To qualify for service in the program the child must have moved, and the purpose of the move must of been to enable the child, child's guardian, or a member of the child's immediate family to obtain temporary or seasonal employment in agriculture or fishing. The children of migrant laborers who are not engaged in agriculture, cultivation and harvesting of trees, fishing, or related food processing activities are not eligible for services under the Title I, ESEA, migrant legislation. Inclusion... of such children in other categories of migrant or mobile populations would require an amendment of the statute. (July 21, 1977)

Q: Are the children of migratory agricultural workers or migratory fishermen eligible for Title I migrant program services if they themselves are not actually migratory as the parents are?

A: ...children...who remain at home while the parents migrate... do not qualify for migrant services since they do not meet the "migration" requirements. However, if the children have been migrating annually with their parents and now have ceased to migrate, these children may be classified as "formerly migratory"... (October 3, 1975)

Q: Are migratory children traveling with and under the complete supervision of crew leaders eligible for Title I migrant program services on that basis with the crew leader, in the absence of the parent, serving as the child's guardian?

A: A person such as a crew leader or camp director having temporary custody of a child for the limited purpose of supervising his employment cannot be considered a legal guardian or a person having full parental responsibility. However, it is not necessary that a currently migratory child migrate with his/her parent or guardian provided that the child himself/herself is migratory as defined and that his/her real parent or guardian is migratory as defined. The status of such a child would be based on that child's migratory pattern - not his/her parents'.

Q: Are tenant farm families eligible?

A: Tenant farm families are traditionally mobile, staying only one or two seasons in an area. If a tenant farm family is involved in a legal agricultural activity and possesses a history of mobility we may consider them migrant.

Q: Is a child's parent or guardian an eligible migratory worker if they moved from one school district to another to secure agricultural or fishing employment, but such employment was not secured?

A: The Office of Education considers a person to be migratory if that person moved from one school district to another in order to secure agricultural or fishing employment, regardless of whether employment is actually secured.

Q: Can a child continue to obtain Title IM services after his or her parents have dropped out of the migrant stream?

A: Yes, the child is eligible as a "formerly migratory child" for an additional five years after his or her period as a currently migrant child terminates. The school must have on file evidence that the child's parents or guardians concur in the child's participation in the project.

Q: What does "eligible to be counted" mean under the definition of "formerly migratory child"?

A: Section 116d.3 of the program regulations defines a "formerly migratory child," in part, as "...a child who...was eligible to be counted and served as a currently migratory child within the past 5 years..." This means that, at some point in time (within the past 5 years), the child qualified as a "currently migratory child," as defined in the regulations. It is not required that the child was actually identified and served in a project at that prior point in time---only that, at that prior point in time, had the child been located by a migrant education project, he or she would have been eligible (according to the definition of a migratory child) to be counted (entered in the Migrant Student Record Transfer System) and served in a migrant education project (any child, aged birth through 21 years of age, who meets the regulatory definition of a migratory child, is eligible to be served).

Q: Can formerly migratory children be enrolled in, participate in, and be served by Migrant Education Projects?

A: A formerly migratory child may participate in a project which includes currently migratory children, or may participate in a project developed solely for the formerly migratory children provided that the participation of formerly migratory children in the State program will not prevent the participation of currently migratory children or dilute the effectiveness of the State program for currently migratory children. (116d.58)

Q: If a child and his family settle out of the migrant stream, how long can the child be served in a migrant project?

Q: Does the five-year period of eligibility begin on the date of the family's last qualifying move into a school district or does it (the five-year period of eligibility) begin when the child ceases to be a "currently migrant child?"

Q: If the five years of eligibility begin when the child ceases to be a "currently migratory child," does the period during which the child may be served in a Migrant Education Project actually extend for a period of 6 years from the date of the family's last qualifying move?

Q: If a child's eligibility status changes from "currently migratory" to "formerly migratory" in the middle of a project or school term, is it necessary to secure parental consent for continued service in the project in which the child is enrolled?

Q: If the period of eligibility of a formerly migratory child expires in the middle of a project or school term, is it necessary to withdraw the child from the project prior to the end of the project?

A: Response: Public Law 93-380, Section 122(a) (1) (3), states in part: For purposes of this section, with the concurrence of his parents, a migratory child of a migratory agricultural worker or of a migratory fisherman shall be deemed to continue to be such a child for a period, not in excess of five years, during which he resides in the area served by the agency carrying on a program or project under this subsection.

A child identified as an active interstate/intrastate migratory child is considered to be in that active eligibility status for the remainder of that year in which he was so identified. Therefore, as stated in the above section of the law, he is entitled to a five-year eligibility as a five year provision or formerly migratory child as of the termination of that active year.

Therefore, as an example, a child whose last qualifying move took place on January 1, 1977, would remain in active status as a currently migratory child through and including December 31, 1977. On January 1, 1978, the child would change status to a formerly migratory child (provided that the concurrence of the parent was secured) and would be eligible for project services up to December 31, 1982. As required by statute, the parents must provide their concurrence for program services. Therefore, parental concurrence and permission for program participation must be secured for all such children whether their attainment of such status occurs prior to or during the conduct of a project. The period of eligibility for services does in fact, then, extend for six years, including one year of active status and five years for settled-out status. Further, if a formerly migratory child has been enrolled in a project that commences prior to January 1, 1982, that child may continue to participate in those specific project services until they are completed.

At the termination of that specific project, the child may not be re-enrolled again, however, unless another qualifying move occurs to establish the child as currently migratory. (November 10, 1977)

Q: Does the formerly or five-year migrant child have the same rights to Title I-M Programs as the "current" migratory child?

A: No, priority must be given to currently migrant children. The formerly migrant child cannot be enrolled if doing so would prevent a currently migrant child from participation, or would materially dilute the services available to the currently migrant child.

Q: What is a Certificate of Eligibility?

A: A form adopted by the Oregon Department of Education for use in identifying eligible migrant students in the state. This form must be completed before the student can be officially entered in the Migrant Student Record Transfer System.

Q: What is the policy with respect to required eligibility information and parental signatures for the participation of currently migratory children?

A: Section 116d.56 of the Title I Migrant Education Program Regulations requires the State Educational Agency (SEA) or designated operating agency to establish "...documentary evidence sufficient to demonstrate that the child is a currently or formerly migratory child..." The "documentary evidence" (usually an eligibility/enrollment record) must include adequate information to establish the child's eligibility, but does not necessarily require a parental signature (in the case of a currently migratory child). If, however, the parent or guardian is not present to provide the required information, your agency is still responsible for establishing the migratory status of both the child and the parent or guardian. Therefore, we advise that an authorized school official sign the record to attest to the source and credibility of the information.

The SEA is not prohibited, however, from requiring a parental signature for other purposes such as compliance with State privacy of information guidelines or health treatment and services regulations. (August 30, 1978)

Note: The Oregon Migrant Education Program does require the signature of the parent for participation in the program (annually).

Q: Are only the school officers authorized to validate the eligibility of children on the authorization form? Could another individual contractually serving as an agent of the State Education Agency (SEA) serve in this capacity?

A: The SEA (may)...officially assign the census taker (or another individual) the responsibility and authority for signing, validating, and enrolling eligible migrant children in the Migrant Student Record Transfer System (MSRTS).

It is important, for the record, that you keep official documentation of the census taker assignment and agreement between the SEA and subgrantee as to the functions of the assignment and the ultimate responsible authority. This action should be sufficient to validate eligibility and not require the school official's signature on the authorization form.

Please note that the absence of the school officials's signature pertains only to the authorization form and does not relieve the local school officials from their statutory obligation to provide educational programs for all children within their respective attendance areas. (November 9, 1977)

Q: What shall operating agencies do regarding securing parent or guardian signatures for the enrollment of migratory students in the Migrant Student Record Transfer System (MSRTS) (Section 116 d.56)? Please give us an expository statement (with reference to any possible litigation implications.

A: In accordance with the Family Educational Rights and Privacy Act of 1974 (Section 438 of the General Education Provisions Act, Pub. 1 90-247, as most recently amended by Pub. 1. 95-561, the Education Amendments of 1978), educational agencies have the authority to establish and maintain educational records of enrolled students, and to release these records to "...other school officials...who have been determined...to have legitimate educational interests...(and to)...officials of other schools and school systems in which the students seeks or intends to enroll..." and are <u>not</u> required to secure the written consent of the parent.

However, the rights that are accorded the parents are that they "...<u>be notified</u> of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record..." (emphasis added). Therefore, educational agencies have the authority to transfer, without the written consent of the parent.

However, even though you are not legally required to secure the <u>consent</u>, written or otherwise, of the parent in order to maintain and transfer educational records of the students, you may find a need to secure the signature of the parent for any number of othere reasons, that vary from State to State, as follows:

(a) Some agencies secure the signature of a parent prior to providing health services, taking the students on field trips, etc. The need for the signature of a parent, in such cases, is determined in accordance with State and local policy.

(b) Some agencies secure the signature of a parent in order to document that the parent has been notified of the transfer of the child's records. (Note that this signature would indicate that the parent had been notified, but not necessarily that the parent had given consent for the transfer).

(c) Some agencies secure the signature of a parent in order to attest to the accuracy of eligibility data (e.g., occupation, residency, etc.), although a signature for this purpose is not required by law or regulation.

(d) Some agencies secure the signature of the parents of formerly migratory children in order to document the "concurrence" of these parents for the program participation of their children, although a signature for this purpose, too, is not required by law or regulation.

(e) Some agencies secure the signature of a parent prior to enrolling the child in the Migrant Student Record Transfer System (MSRTS), or prior to transferring the record of that child because of more stringent State privacy regulations.

As you can see, your State agency may want to consider the need for the signature of the parent for any number of reasons, but the signature is not required for purposes of complying with Federal law and regulations pertaining to either family educational privacy rights or the eligibility of participating children.

Note: The Oregon Migrant Education Program does require the signature of the parent for participation in the Program (annually).

Q: Can the one-time signature of a parent suffice for the program participation of a formerly migratory child for the entire period of settled-out eligibility?

A: ...the concurrence of the parent does not extend automatically to the child for a five year period. The enrollment form, therefore, should be signed on an annual basis to assure that the children so identified have permission to participate in the program. Further, the same certification by the parent or guardian may also be used as the parents' acknowledgement of their rights...concerning...privacy of parents and students. (May 10, 1977)

Q: What types of MSRTS-related documents should be retained for audit purposes?

A: The only such documents that the SEA would be required for purposes of assuring an auditor that program funds were expended on eligible migratory children would be the student enrollment forms. These forms must include (1) information sufficient to establish the child as an eligible migratory child, (2) the signature of an authorized school official attesting to the source and reliability of the information, and (3) in the case of a formerly migratory child, the signature of the parent indicating permission for the child to participate in the program.

... SEAs are advised to retain other pertinent MSRTS documents, both for State management purposes, and to satisfy an audit or review of the administration and management of the program. These documents would include any intermediate forms that are used between the time of completion of the enrollment forms and transmittal of the information to the MSRTS, any other forms that are used to relay update information to the terminal operator and from the terminal operator to the MSRTS, the resulting MSRTS records themselves, and any formalized procedural instructions that are provided to the project personnel or terminal operators with respect to their use of the system. (July 14, 1978)

Q: Do students entered into the Migrant Student Record Transfer System generate funds under the Title I migrant education program even though they might not be currently in attendance at a project school?

A: ...pupils enrolled in the Migrant Student Record Transfer System generate program funds, whether or not such children are in attendance at one of your schools. Migrant children aged 5-17 enrolled in the MSRTS...continue to generate funds for (the state) for up to 13 months or until they are enrolled by another State. ...when children who have been enrolled in MSRTS do not attend such programs as may be available to them...appropriate information to this effect is entered into their MSRTS records. Entering such non-attendance or withdrawal information into the MSRTS does not effect the generation of funds, but merely serves to keep each student's cumulative academic record as comprehensive and complete as the System allows. (April 13, 1977)

Q: Can supporting services be provided to migrant children with Title I Migrant funds even though the migrant child is participating only in the regular school program becuase he/she does not require the supplementary instructional services of the Title I Migrant program?

A: ...funds...may be used to provide supporting services for migratory children, but only to the extent necessary to enable them to participate effectively in instructional services designed to bring about improvements in their educational performances. (March 24, 1977)

Q: Can Title I-M funds be used to provide transportation for Title I-M students?

A: If a school district (LEA) is administering the project it has the responsibility of providing to the migrant students all services provided to the other students, this includes transportation. However, Title I-M funds can be used to provide special transportation services not provided to all students; such as field trips, after hour activities, trips for health services, transportation to summer projects when the district does not provide summer schools for other students and other activities in compliance with these regulations and approved by the state coordinator of Title I-M.

Q: Can students who receive Title I-M funded services also participate in Title I project activities?

A: Not only can Title I-M students participate in Title I project activities; it is required by Title I ESEA guidelines that any Title I-M eligible students that qualify for any Title I project activity in the school he or she attends must be provided an opportunity to participate in that activity.

Q: What is the policy with respect to admission to "Regular" Title I programs of migratory children who arrive during the middle of the school term?

A: There is no specific policy regarding mid-term enrollment of migratory children in regular Title I programs. The policy is that any child who meets the LEAs criteria for selection of Title I "regular" programs must have equal opportunity to benefit from those programs whether or not they are not migratory children. That is, if the LEA admits non-migrant students to Title I "regular" programs at mid-term, they must provide the same consideration to migrant children.

SAMPLE ELIGIBILITY CASES

Anyone who deals directly with the eligibility of migrant children will quickly acknowledge the possibility of multiple interpretations of the federal regulations. Many examples have been uncovered which show recruiters in different States may include or exclude the same children, depending on local interpretation.

The purpose of this section is to help create a common understanding of who qualifies, by presenting some eligibility cases and questions. These eligibility cases are followed by answers which have been reviewed by the United States Office of Education.

It is anticipated that some States may continue to enroll and serve children using interpretations which vary from those presented herein. This is an option open to the individual States, however, it is strongly suggested that we be prepared to defend and support the inclusion of these children.

EXAMPLES

Q: 1. A family moves into your state to take a job in agricultural employment on September 1, 1979. Assuming the family doesn't move, on what date do they become formerly migrant and exactly on which date does their eligibility expire?

A: 1. They become formerly migratory on September 1, 1980. Their eligibility expires September 1, 1985.

Q: 2a When is a child who moves by himself eligible for services?

A: 2a A child moving alone for agricultural employment is eligible only when he qualifies first by moving with his parents for agricultural employment. To continue qualifying as a currently migratory child, he must migrate for agricultural purposes within 12 months of his parent's last move. He will continue his "currently migratory" status as long as he moves at least one time a year.

Q: 2b Would his movement ever affect the eligibility of other children in the family?

A: 2b No.

Q: 3a A family moves from Texas to Minnesota to work in a food processing plant. Does the family qualify?

A: 3a Yes. This family qualifies unless the parent takes a job where he/she is not actually handling the food. For example: plumber, carpenter, secretary, etc.

Q: 3b Does it matter if the food processing is not seasonal in nature?

A: 3b No. Determination of eligibility is more dependent on the transiency of the personnel at the plant than the seasonality. Very few food processing plants operate on a seasonal basis. However, many cause migrancy because of large demands for labor at low wages.

Q: 4. Juan Garcia moves between school districts in Puerto Rico to accept a job transporting coffee beans to a coffee processor. Does this transporting activity qualify his children?

A: 4. Yes. Because coffee is a "crop," activities involved in both the production and transporting of this product qualify the worker as agricultural. It should be emphasized, however, that transportation of a crop must be supplied by the processor.

Q: 5. Nineteen Cambodian refugee families are hired directly from Cambodia to work in a poultry company in Showell, Maryland. Are the children eligible?

A: 5. Yes. They are eligible because the purpose of the move was to get the job in poultry. However, had they been sponsored by someone in Maryland, and then found the job, they would not qualify because their move was not primarily motivated by the job.

Q: 6. A migrant family traditionally journeys from California back to Mexico for a three to six week vacation every year. They always return to the State to resume the agricultural work. Do such moves affect eligibility?

A: 6. Moving for a vacation never affects eligibility because there is no change of residence.

Q: 7. A migrant family with five children moves to Traverse City, Michigan. Two years later a child is born. Does the newborn qualify?

A: 7. No. Technically the child does not qualify until he or she moves with the family for agricultural purposes. Some states might want to enroll such children in anticipation of an ensuing move, but again, technically speaking, the child is not eligible for migrant services until the move occurs.

Q: 8. Two families came to Reading, Pennsylvania, from Georgia last year. Father #1 worked in mushrooms for a year and then began working in a shoe factory. Father #2 worked in a shoe factory and now works in mushrooms. Do the children of either or both Father #1 or Father #2 qualify right now?

A: 8. Father #1 qualfies without a doubt. Father #2 will qualify assuming the recruiter can ascertain, through an interview with the parents, that the family did come to Reading with the intention of obtaining work in mushrooms, and the local job situation precluded starting work immediately. The possibility for signing up Father #2 exists as long as he secures mushroom work within six years of his arrival date.

Q: 9. A farmer worked his own land in Puerto Rico where he produced lemons and oranges. Upon selling his farm he moved with his family to Denver, Colorado, and established a grocery store. Do his children qualify?

A: 9. No. Based on the information given, this family does not qualify. The only way they could conceivably be eligible would be if the father was eligible as a migrant before working his own land. It must be emphasized that migrants may have land holdings but agricultural work on their own land does not qualify them. They must work for an agricultural concern owned by someone else, in order to be eligible.

Q: 10. The Perez family have lived in Muncie, Indiana, for eight years. The father and mother moved from Indiana to Wisconsin to pick vegetables last summer. Their three children remained in Muncie with their uncle. Should the recruiter in Muncie enroll these children?

A: 10. It is possible to have a family where the parents are migrant and yet the children are not. Here the parents are migrant but the children did not move with their parents within the last six years.

Q: 11. A family which previously worked in agriculture moved from Phoenix, Arizona to Sacramento, California, with the intention of picking tomatoes. While waiting for the tomatoes to ripen, the father took a job in a local service station near Sacramento. Are the children eligible?

A: 11. The intention of the move is an important part of eligibilty. Intent can best be measured by two criteria: past employment and eventual agricultural employment. In this case if the family has no past history of agricultural work, then the recruiter might want to withhold enrolling the children until agricultural work is started. On the other hand, if the recruiter is convinced of the parent's intention to find agricultural employment, the children can be enrolled immediately.

Q: 12. The Perez family moved to Malaga, New Jersey on July 2, 1978, to work picking vegetables. The father quit his job on October 12, 1978, and moved the same day to Syracuse, New York, to work in a community agency. The recruiter in Syracuse is certain that the children qualify because they have been migrants within the past six years, but what date does the recruiter use to determine when the eligibility begins?

A: 12. When a family has been migrant within the past six years, but does not move to another area to seek agricultural employment, then the eligibility must be calculated from the day they moved into an area to take their last job in agriculture. In this case, the last move to find work in agriculture occurred on July 2, 1978, therefore, this date, not the date they quit working, will be the date used by the recruiter to determine when eligibility begins.

Q: 13. A family moves to Orlando, Florida, to take a job in agriculture. One-and-a-half years later the family moves again across school district lines, but for non-agricultural reasons. The status changed from #1 (interstate) to #3 (provisional). What caused the change?

A: 13. The second move in this case does not cause a status change, therefore, it has been 1½ years since they were first enrolled, their status becomes number 3 (provisional).

Q: 14. A family in your state on their second year of eligibility hears of a construction job in another school district. If the father and family move to take the job, will eligibility continue in the next school district?

A: 14. Yes. After enrollment no intervening work changes the eligibility of the family during the six-year period.

Q: 15. A family moves from your state, where the children were enrolled in a migrant program, to another which, for one reason or another, fails to enroll the children. Will the last enrollment continue to generate funds for your State?

A: 15. Yes. Your State will continue to receive funds for a year from the last enrollment date.

Q: 16. Assume that a father came yesterday to your area from another state with the intention of working in one of the following areas Which would qualify him and his children as migrants?

A. Electrician at the frozen foods company.
B. Mars candies.
C. Luden's Throat lozenges.
D. Mrs. Paul's fish processing company.
E. Canning mushrooms.
F. A cook in a hospital.
G. Swanson TV dinners.
H. Noodle factory.
I. Greenhouse work.
J. Seed factory.
K. Frozen beef.
L. Sawing trees for a company.
M. Soup factory.
N. Freezing chicken.
O. Cutting beef in an A&P food market.
P. Moving around to help different dairy farmers.
Q. Caring for sheep produced by a large company.
R. Coffee processing.

A: 16.

A.	No	J.	Yes
B.	No	K.	Yes
C.	No	L.	Yes
D.	Yes	M.	Yes
E.	Yes	N.	Yes
F.	No	O.	No
G.	No	P.	Yes
H.	Yes	Q.	Yes
I.	Yes	R.	Yes

Q: 17. A recruiter in Bradford, Pennsylvania, misunderstands information given by Mr. and Mrs. Gonzales during validation procedures. Personnel in Pennsylvania discover they are serving an ineligible family. What should be done?

A: 17. This is why validation is needed. Don't panic, simply follow established procedures by submitting lists of ineligibles to the State Director, who will forward them to Little Rock.

HOME SCHOOL CONSULTANTS

a. Role of the Home-School Consultant

A very important component of the Migrant Education Project is the development of open communications between the school and the migrant families. The home-school consultant plays a primary role in developing this level of communication. It is recommended that all projects have available the services of a well trained home-school consultant, either on a full-time or part-time basis.

Following is a statement of the recommended duties and responsibilities of a home-school consultant. The services provided by the Title I Migrant home-school consultant does not exempt the school from its responsibility of providing the migrant students general counseling services in the district.

b. Duties and Responsibilities of the Home-School Consultant

The home-school consultant's role is not only to represent the school to the target group students and parents but, even more importantly, to represent the students and his/her parents to the school. For this reason, it is necessary that the consultant be given considerable freedom to functions as he/she feels will best serve the needs and interests of the students.

He/she must be given the freedom to operate as a free agent with whom the target group can confide, and must be allowed to treat as privileged information those things related to him/her by the target group students and their parents. He/she must have the integrity and judgment to exercise this freedom and these privileges in a manner that will not jeopardize the administration of the school.

The consultant must have knowledge and understanding of the experiences, working and living conditions, language, and culture of the migrant society. A determined effort should be made to recruit qualified consultants who have experienced the life of the migratory farm worker.

c. General Assignments

The home-school consultant will:

(1) Establish lines of positive communication with growers, camp owners and managers, and all people who can provide information concerning the temporary or permanent residence of the target group families.

(2) Become knowledgeable of the school's philosophy, curriculum, activities and support services, and assist the district staff in determining to what extent these should be modified to meet the needs of the target groups.

(3) Determine what agencies, service organizations, businesses and industries in the community can provide supportive services that will assist the school in meeting the needs of the target group students. He/she will open lines of communication within the triad of school, community, and target group.

(5) Counsel with students and parents to identify and recommend to the school personnel solutions for the educational needs of the target group.

d. Specific Assignments

The home-school consultant will:

(1) Through persuasion rather than implied compulsion, recruit school age migrant children for enrollment.

(2) Work with students and parents to encourage regular attendance and discourage truancy.

(3) Upon obtaining permission, recruit in migrant labor camps.

(4) Work with school personnel to make the student's first exposure to school a positive nonthreatening experience.

(5) Keep school administrators and transportation personnel advised of needed additional transportation services for the migrant students.

(6) Advise school administrators of projected crop conditions, labor demands and number of migrant families anticipated by growers, contractors and camp managers for the current year.

(7) Provide the school administrators the names of the migrant children who should be provided free hot lunches.

(8) Through a cooperative effort of school and community resources, assure that the target group students have adequate clothing.

(9) Serve as interpreter at parent-teacher conferences when qualified instructional aides or other personnel are not available.

(10) In the absence of other designated personnel, and after receiving proper authorization, attend such emergencies as taking students to the doctor, dentist, home, etc.

(11) Encourage target group parents to visit school and participate in school-sponsored activities.

(12) Obtain information necessary to complete student personnel record form.

(13) Encourage and assist the school staff members in planning social activities that will involve members of the target group.

(14) Keep a log of daily activities.

(15) Train aides to assist in school-home liaison.

(16) Keep well informed of all services available to the target group such as daycare, preschool, adult education, vocational training, health, welfare, etc.

(17) Develop a working knowledge of school law.

COMMITMENT TO PROGRAM

In order to be effective and contribute to its growth, the recruiter must be committed to the migrant program and believe in its goals.

Believing In The Program - Believing in and supporting the goals of the program are the first things a person must consider before accepting a position as recruiter.

Contributing To The Program - Being committed includes contributing ideas and making recommendations for the improvement of the program. The recruiter is often in a position to observe things from a different perspective than other staff members and can offer recommendations which can be valuable to those who have the responsibility for developing different aspects of the program.

Defending The Program - Occasionally the recruiter will be confronted with the task of defending the program against those who question its value. There may be people who don't understand it and would like to see the local school district discontinue the migrant program. If the recruiter is not fully convinced of the migrant programs worth, a good defense on its behalf cannot be presented.

CONCERN FOR PEOPLE

RESPECT FOR INDIVIDUAL BACKGROUND

The recruiter selected for this position should have a genuine concern for people. This person's responsibilities lie primarily with the students and their families but do not exclude others associated with the program. He or she should be capable of visualizing all sides of a problem and act accordingly in a positive manner.

PREPARATION AND PLANNING FOR RECRUITMENT EFFORT

Before the recruiter goes into the camps, much preparation needs to be completed. Because the recruiter is often the first school representative to come into contact with the migrants, the recruiter should be well prepared with information regarding the migrant program rules, the school program, support agencies, and other related recruitment information.

A beginning point for identifying migrant children is to study the project's previous students enrollment records. The recruiter should have access to such records and investigate if the child still is in the area, and then to determine if the child meets the definition of the migrant program.

In all recruitment activities it is important to coordinate the work with other school personnel and to maintain open lines of communication with principals, attendance counselors, central office staff and faculty. Try to find people in the schools who may be able to help you identify children who may be migrant.

In addition to internal coordination within the school system, many organizations and agencies in the community may provide assistance in the identification of migrant families. Some of the contacts include: Children's Services Division; Oregon Human Development Corporation; Oregon State Employment Service, Migrant Indian Coalition, and Health Agencies.

These contacts may provide information to the recruiter on the location of migrant labor camps and migrant housing, and provide an indication of the number of migrant workers and children in the area.

An important step in recruiting children is to seek the interest and cooperation of the growers, crew leaders and food processing plants. These contacts could provide determination of the number and location of migrant children to expect in the area.

With all the information available from school records and supporting agencies in the community, the recruiter should be able to go into the migrant camps and houses and recruit the eligible children into the Migrant Education Project.

VISITING CAMPS AND HOMES

Before any labor camps are visited, it is advisable that permission be secured from the owner. Once this has been accomplished, it is usually unnecessary for the owner to be contacted every time a follow-up visit is planned.

It is best that crew leaders be contacted before the parents are visited. They might be able to provide information about families living in the camp.

It may be helpful to the recruitment effort to have maps of the entire attendance area and maps of individual camps showing migrant housing.

VISITING PARENTS

When visiting the parents, the recruiter should provide an introduction and explain the purpose of the visit. In explaining the program to the parents, the recruiter should point out:

- o the benefits to both parents and children.
- o the goals and objectives of the program.
- o the dates the school is in operation.
- o the bus services available.
- o the special programs or benefits that can be derived from the program such as health services and field trips.

In case of negative responses, care should be taken not to intimidate the parents or leave them with resentment towards the program or the recruiter.

Should questions arise, attempts should be made to reply and give assistance in matters which might not be related to the school, such as location of health services, where to secure legal aid, and where to secure information on employment. The rights and privacy of the parents should be protected and respected at all times.

Family Interview For Eligibility Information:

Once a family has been identified as being a potential migrant the recruiter conducts an interview with the head of the household to determine the eligibility of that family.

Explain to the head of the household the purpose of the interview is to identify children of farmworkers between birth and 21 years of age who qualify for possible enrollment in educational programs due to the family's mobility for agricultural purposes.

Key questions can determine a family's eligibility:

a) Length of residency in current school district (e.g.: Has the family been in the school district over 6 years?).

b) Specific dates of movement in order to secure agricultural employment. (e.g.: When did the family last move to secure agricultural or fishing employment?).

c) Type of present or former agricultural or fishing employment (e.g.: Apple Orchard; Dairy Farm; Food Processing Plant; etc.)

Once the eligibility has been determined, a Certificate of Eligibility must be completed for all of the children in the family, 4-18 years of age.

The Certificate of Eligibility Form serves also as a validation instrument for the Migrant Education Program. This form is the formal authorization by the family to enroll their children in Migrant Education Programs. For these reasons it is important that the parents clearly understand Migrant Education Programs in Oregon State. Part of Migrant Education is the Migrant Student Record Transfer System. When a child is identified as eligible for Migrant Education, he/she is also enrolled in this nationwide student record system.

Located in Little Rock, Arkansas, this data bank stores each child's educational and health records and forwards these records on to the new school where the child enrolls.

Of course, the privacy of these records is respected. Only the child, the child's parents or authorized education and health persons have access to these records. Stress to the family the confidentiality of all information collected. Cooperation with the recruitment effort is voluntary. In no instance should a family feel compelled to give the information.

TECHNIQUES

Direct Contact - contacting the parents personally is the most effective recruiting technique. Personal contact means much to the migrant parent and will have a positive effect. It will give the recruiter an opportunity to collect information as well as explain the program. The best place to meet with the parents is in their homes; however, the recruiter might also contact them in laundromats, grocery stores, or churches. A convenient time to contact the parents has been found to be in the early evening or on weekends.

Parents and Students - sometimes parents and students can be a great asset to the program recruiter. Students who are in school should be asked to encourage other children to enroll in the program or invite them to attend some program or social event. Parents who have children in school should be asked to talk to other parents and to encourage them to send their children.

Newspaper - When preparing an article for the newspaper, care should be taken so that all necessary information is included. (If possible, articles should be printed in both Spanish and English.) Information should include:

- dates and times of program operation
- information for student registration
- location of project school districts (cities)
- telephone number to call for further information and persons to contact
- a brief description of the program.

Newspapers will usually publish such articles without any charge to the school.

Radio and Television - radio and television are important news media which can be used to reach and inform the public about the program. Several stations will broadcast public service announcements free of charge.

Flyers and Posters - posting posters and distributing flyers in public places or in camps is another way of informing the public and the migrants about the program. Posters and flyers can be placed in laundromats, grocery stores, restaurants, health clinics, food stamp offices, welfare offices, labor offices, rest areas, and other places where migrants frequent.

Posters should be in both English and Spanish and be attractive enough to gain attention. Bright colors, large lettering, and attention getting words should be used. Teachers, children, teacher aides, or other school personnel can be asked to help make the posters and flyers.

Program Newsletter - a program newsletter can be developed indicating the type of activities in which the students are involved. This can serve to provide information to the parents and as an educational tool for the students.

FOLLOW-UP

The recruiter has the responsibility to the school and to the migrant families to follow-up on initial contacts. The families, farms, and camps should be revisited periodically in order to:

- Check for new arrivals.
- Check on absences.
- Relay information about school activities.
- Gain parents' trust and confidence.
- Work with students and parents to encourage regular attendance.
- Encourage target group parents to visit school and participate in school sponsored activities.

To maintain the credibility of the program in the eyes of the parents, the recruiter should follow-up on promises or commitments made such as:

- Providing transportation to and from school, to meet with teachers, or to visit the program.
- Providing answers to questions that could not be answered on the spot.
- Supplying them information as requested.

WORKING WITH THE SCHOOLS

For the recruiter's benefit, the following section outlines the general procedure in which contact is made between the schools and the migrant program. Some variations will exist on the local level but bear in mind that no contact should be made with school officials until the proper introduction or notification has been made by the site director.

Here are some recommended points to remember when making visits to the schools:

- Always dress appropriately. Dressing in inappropriate attire may leave a bad impression on school officials, thus affecting your working relationship with the schools.
- Make appointments ahead of time, especially during school hours.
- Be sure you sign in at the school (if this procedure is necessary).
- After the initial contact, give each school a list of the migrant children that are attending there.

- o Work closely with the school secretary, because he/she is the key person for keeping you informed of withdrawals and new arrivals who may be migrant.
- o Make sure you leave the number at which school personnel can contact you.
- o To facilitate your work with the schools, it is recommended that you have a list of school addresses and school principals.
- o Be visible at the school. Try to get involved with school activities.
- o When the school requests information or a service you should respond on a timely basis.
- o Use teachers' conferences to talk to the teachers about the migrant children.

School contacts are essential because they let students, teachers, nurses and other school personnel know you are concerned with the education and health of each migrant child. Remember that your contact with the homes gives you a unique vantage point for understanding the needs of each child. Do not hesitate to impart this knowledge to the school personnel.

ENROLLMENT PROCEDURE

1. Contact is made with the migrant family by the recruiter.
2. Eligibility information is obtained and placed on a Certificate of Eligibility.
3. Signature of parent (and date) is obtained and the recruiter also signs. Recruiter checks for completeness and accuracy.
4. The appropriate copy of the completed certificate is transmitted to the terminal office immediately.
5. Terminal office will make final check for completion and accuracy, then will transmit the enrollment information to the data bank and the MSRTS records and information is generated.

Note: All certificates must:

A. Be completely filled out.

B. Be signed by parents.

C. Be signed by recruiter.

D. Have date.

The following is an example of a Certificate of Student Eligibility followed by a list of information on how to complete the form.

BEST COPY AVAILABLE

Certificate of Student Eligibility

Oregon Title I-M Educational Programs

DISTRIBUTION OF COPIES:
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*Send Pink copy to:
M.E.S.C.
3000 Market St. N.E. Suite 316
Salem, Oregon 97301
Tel. (503) 378-6853

1. COUNTY (1) _____ SCHOOL DISTRICT (2) _____ SCHOOL YEAR FY (3) _____

2. STATUS 1 - Interstate Agriculture 4 - Interstate Fishing
2 - Intrastate Agriculture 5 - Intrastate Fishing
3 - Settled Agriculture 6 - Settled Fishing

ORIGINAL ENROLLMENT ( )
RE-ENROLLMENT ( )

3. NAMES OF CHILDREN ENROLLING NOTE: For VERIFICATION column use: B= Birth Certificate; D= Document; O= Other; N= None

LAST NAME (4)	FIRST NAME (5)	M.I. (6)	SEX (7)	BIRTHDATE MO.	BIRTHDATE DAY (8)	BIRTHDATE YR.	VERIF. (9)	GRADE (10)	STATUS (11)	PLACE OF BIRTH CITY/STATE (12)	NAME OF SCHOOL ATTENDING (13)

4. Names of Parent(s)/Guardian(s). (Please indicate with a "P" or "G") (14) _____

5. Current Home Address / Telephone / Zip Code
(15) _____ (16) _____
(Street) (City)
(17) _____ (18) _____
(Telephone Number) (Zip Code)

6. Home Base (19) _____ (20) _____
(City) (State)

7. Most Recent Date of Arrival in School District: (21) _____

8. Most Recent Date of Arrival in State: (22) _____

9. Date of Current School Enrollment: (23) _____

10. Health Data: (Indicate clearly "Do" or "Do not") (24)
I (do, do not) authorize the release of my childrens' health records for purposes of receiving health/dental services and/or treatment which may be offered by the Title 1-M Program.

(26) _____ (27) _____
Signature of School Representative Initiating this Enrollment — Initials of Area Director or Designated Representative

Settled Parent's Initials/Date: _____ / _____ / _____ / _____ / _____ /
Settled: 1st Year Settled: 2nd Year Settled: 3rd Year Settled: 4th Year Settled: 5th Year

Yo afirmo que los niños mencionados en este certificado se movieron conmigo de (25) _____ para _____, Oregon en (fecha) _____, 19____, mientras trabajabamos o buscabamos trabajo en la agricultura o cosecha de madera o pesca comercial o actividades relacionadas como empacadoras y bodegas de verduras. Mis niños tienen permiso a participar en los programas designados para confrontar las necesidades educacionales bajo Titulo 1-M. El Sistema Transferencia de Registro de Niños Migratorios (MSRTS) y servicios de salubridad han sidos explicados y comprendo el significado. Yo se que el registro de mi niño está a mi disposición y puede ser obtenido por mi, si es mi deseo. Además entiendo que este registro será mandado para otras escuelas en donde mi niño se matricule.

I certify that the above named children moved with me from (25a) _____ to _____, Oregon on (date) _____, 19____, while I or my spouse was employed or seeking employment in agriculture, cultivation and harvesting of trees, commercial fishing or a related food processing activity. My children have my permission to participate in programs designed to meet the needs of children under Title 1-M. The Migrant Student Record Transfer System (MSRTS) and health care services have been explained and is understood by me. I know that my child's record will be made available for me to see and obtain if I should desire. I understand further that this record will be sent to other schools in which my child intends to enroll.

(28) _____ (29) _____
Signature of Parent or Guardian — Date

CERTIFICATE OF STUDENT ELIGIBILITY: HOW TO COMPLETE THE FORM

1. County in which the family/child(ren) resides.
2. School District in which the family/child(ren) resides.
3. Current school year (i.e., school year 1979-80, or summer program 1980).
4. Child's last name.
5. Child's first name (legal name, no nicknames).
6. Child's middle initial.
7. Sex; use only the letter "M" for male, or the letter "F" for female.
8. Birthdate: Month/Day/Year.
9. Verification of Birthdate: Indicate how the birthdate has been verified using the following codes:

   B - Birth Certificate
   D - Document
   O - Other
   N - None

10. Grade in which the child is currently enrolled.
11. Migrant Status; indicate the child's appropriate migrant status by using the following codes:

    1 - Interstate Agriculture
    2 - Intrastate Agriculture
    3 - Formerly Migratory Agriculture
    4 - Interstate Fishing
    5 - Intrastate Fishing
    6 - Formerly Migratory Fishing

12. Place of birth (City/State).
13. Name of the school the child is currently attending. Note: If the child is not attending school, please check with the terminal office for the appropriate listing (i.e., Out of School - O. of S.; or a Preschool category).
14. Parent(s) or Guardian(s) full names, indicate parent(s) by placing a "P" after the name(s), or indicate guardians(s) by placing a "G" after the name(s).
15. Street address of current residency.
16. City of current residency.
17. Telephone number.
18. Zip code for current residency.
19. Home Base City: This refers to the city the family considers "home" and returns to after seasonal migrant work.
20. Home Base State.
21. Most recent date of arrival in school district: This is the most recent actual date the family/child(ren) arrived in the district, not to be confused with the date the recruiter identified the family/child(ren).
22. Most recent date of arrival into the state: This is the most recent actual date the family/child(ren) arrived in the state. If the family is native to Oregon, so indicate by writing in "native".

23. Date of Current School Enrollment: This is the date the child(ren) actually enroll in a school or project.
24. Health Data: This is an authorization statement regarding Title I-M health records and services. Indicate clearly that the family/child(ren) does or does not authorize these services by circling either "do" or "do not".
25 & 25 a These are the Spanish and English versions of the "move statement" that qualifies the family for Title I-M services. It is important to list the last qualifying migrant move by indicating the city/state the family/child(ren) moved from and the city/state the family/child(ren) move to. Also very important is the date of the move, please be as specific as possible, the minimum information required is a month and year. NOTE: You only need to fill out one of the "move statements" using the most appropriate one, either the English or Spanish version.
26. Signature of school representative initiating this enrollment: This is the person who actually collected the information on this form.
27. Initials of area director or designated representative.
28. Signature of parent or guardian providing this information.
29. Date of parent or guardian signature.

SUMMARY

In the recruitment process, the State Educational Agency (SEA) is responsible for:

- Feasibility studies to determine the need for new projects.
- Orientation of local personnel to the migrant program and recruitment procedures.
- Providing assistance in the certification and enrollment of eligible children.
- Provide MSRTS reports that may be helpful (i.e., ISEMS,PEVR).
- Conducting workshops on identification and recruitment to LEA personnel.
- Development of identification and recruitment guides.
- Development of identification, certification and recruitment forms.

The Local Educational Agency's (LEA) responsibilities in the recruitment process include:

- Coordinating recruitment efforts with local agencies and organizations.
- Establishing rapport with local individuals and organizations.
- Maintaining continuing awareness of migration into the school district.
- Working with the SEA in locating migrant children.
- Reviewing ISEMS reports.
- Following up on all leads provided by the SEA and other agencies and organizations.

The individual(s) responsible for identification and recruitment of migrant children should:

- Have a thorough understanding of the definitions of migrant children as they apply to the migrant education program.
- Understand what is meant by agricultural and fishing activities.
- Establishing working relationships with appropriate state and local agencies and organizations serving migrant families.
- Know the locations of migrant camps and housing.
- Be able to identify, interpret and explain the forms used in identifying and recruiting migrant children.
- Be familiar with USOE policy statements relating to identification and recruitment.
- Contact the area migrant office or the State Migrant Office for assistance or if you need a question answered.
- Spend sufficient time in the identification and recruitment process to make it successful.

In summary, identification and recruitment of migrant children is a joint SEA-LEA responsibility. State and local recruiters should use all of the resources available to them in carrying out this responsibility. Throughout the recruitment process there are several things that should be kept in mind. Only if we identify these special children and recruit them into the special programs can their special educational needs be met.

In carrying out the responsibilities of identification and recruitment at the local level, local project personnel should keep in mind that assistance is available through the state migrant office. The state migrant office will assist in the identification of migrant children.

REPORTS FROM LITTLE ROCK, ARKANSAS

The P.E.V.R. Report (Periodic Enrollment Validation Report)

The P.E.V.R. Report gives a complete listing, by school, of all children enrolled in your area during the stated time period. As the name implies, the report should serve as a means for validating children enrolled by your project. The absence, from this report, of a child you enrolled in your area would probably mean the child was never placed into the computer. Steps should be taken immediately to verify the reason for the child's nonappearance on the report.

Remember that the report reflects only information entered during the indicated time period. For example, if you sent an enrollment to the Terminal Operator for a child, Juan Marcos, on 11/28/78, his name will probably not appear on the P.E.V.R. Report for the time period 9/1/78 to 11/30/78. The reason for this is that the Terminal Operator would not be able to enter an enrollment for this child before the final day of this particular report, i.e., 11/30/78. In this case, the child should most definitely appear on the next report.

The P.E.V.R. Report appears four times yearly. The time periods included in each report are as follows:

Report 1 September 1 through November 30
Report 2 September 1 through February 29
Report 3 September 1 through May 31
Report 4 September 1 through August 31

Names appearing on Report 1 will naturally appear on all subsequent reports along with any new children. Every September, the slate is wiped clean from the last year and a new list of children enrolled in your program begins to accumulate.

Below are listed some possible uses for the P.E.V.R. Report:

1. Ensure all enrollments sent have been entered on the computer.
2. Ensure all withdrawals have been sent and entered by the Terminal Operator.
3. Retrieve critical data for any child quickly. The report can give you last names, first names, middle initials, sex, student number, mnemonic, migrant status, last date enrolled, and date withdrawn.
4. Check the I.D. for a school in your area. It always appears next to the school name in the upper left-hand corner of the form.

These forms can be expected approximately one month after the printing date.

The I.S.E.M.S. Report (Inter/Intra-state Student Enrollment Monitoring System)

Section 1:

Section 1 of the I.S.E.M.S. Report alerts Recruiters to the possibility of a migrant child who reportedly has a town in Oregon as a home base, but has never been enrolled by our state. The family whose name appears on the report gave an Oregon town as their home base city, when they were questioned by a Recruiter in some other state. Obviously, numerous reasons can be cited why the reported Oregon home base city may not be accurate. However, experience has shown that a search in your area for these children can sometimes be fruitful.

Customarily, Section 1 of the I.S.E.M.S. Report is directed by the Recruiter, with the expectation of an ensuing investigation. At some time, the Recruiter should report his findings to his/her Site Director.

A typical entry on Section 1 would appear as follows: Each data item has been numbered and explained below.

OREGON MIGRANT STUDENT RECORD TRANSFER SYSTEM

INTER/INTRA-STATE STUDENT ENROLLMENT MONITORING SYSTEM (ISEMS)

SECTION 1

MAY 27, 1980

ACCORDING TO DEPOSITORY RECORDS, THE FOLLOWING STUDENTS ARE HOME BASED IN OREGON BUT HAVE NEVER HAD AN ENROLLMENT REPORTED BY YOUR STATE.

LAST NAME	FIRST NAME	I	SEX	B-DATE	S/N	MNE	HB CITY MOST RECENT REPORTED SCHOOL	LPFN (1) SCHOOL CITY	LPFN (2) SCHOOL STATE
ZAVALA (1)	JUAN (2)	J (3)	M (4)	01/17/73 (5)	07503287 (6)	LSK	ONTARIO (7) GLENNS FERRY ELE (8)	MOISES (9) GLENNS FERRY (10)	ANGELITA (11) ID (12)

1. Last name of child.
2. First name of child.
3. Middle initial of child.
4. Sex of child.
5. Birthdate of child.
6. Child's student number and mnemonic.
7. City in Oregon listed as child's home base. In this example, Ontario, Oregon is the home base city.
8. Name of school where child was enrolled in another state--in this case Glenns Ferry Elementary.
9. LPFN (1)--Legal Parent's first name, first name of the child's father, in this case, Moises.
10. School City--city in which last school was located (Glenns Ferry).
11. LPFN (2)--name of child's mother, first name (Angelita).
12. School State--state which reported a home base of Oregon for child, in this case it is Idaho.

GLOSSARY OF TERMS

Agricultural activity - Any activity related to crop production, including but not limited to, soil preparation and storage, curing, canning or freezing of cultivated crops; activities on farms and ranches related to the production and processing of milk, poultry, livestock (for human consumption); cultivation and harvesting of timber, and activities related to tree nurseries.

Allocation - Amount of funds allocated by the Oregon Department of Education to an eligible agency after having approved the project proposal of the eligible agency.

Area - A specific geographic area of the state designated by the Oregon Department of Education for the purpose of better administration and coordination of Title I Migrant programs in that area.

Area project - All Title I Migrant activities in an area under the supervision of the area director. The area director is a staff member of the agency that has been granted an allocation to administer projects in that area.

Certificate of Eligibility - A form adopted by the Oregon Migrant Education Program for use in identifying all eligible migrant children in the state. This form must be completed for the child to be officially entered on the Migrant Student Record Transfer System.

Currently migratory child - A child who has moved with a parent or guardian within the past twelve months across a school district boundary or boundaries in order that a parent, guardian or member of his or her immediate family might secure temporary or seasonal employment in an agricultural, fishing or timber harvesting activity.

Data Analyst - The person trained in operating the MSRTS teletype terminal.

Date of enrollment - Recorded by the school district clerk on an enrollment roster sent to the teletype terminal operator.

Date of identification - The date a child is identified as entering a school district (or state).

Day care - Service which can be provided with ESEA Title I-M funds if approval is granted through the Oregon Department of Education by the U.S. Office of Education; refers to children not old enough to participate in an educational program; minimum age is three years.

Days enrolled - The official number of school days that transpire between the date a student enrolls and the date of his or her withdrawal or the date of project termination.

Dental care - As used in this document, only emergency dental care services are paid for with Title I-M funds. Such services would include diagnosis, referral, treatment and follow-up of critical dental problems.

Federal Assurances - Forms which must be signed by an authorized official before a project application can be considered for approval by the Oregon Department of Education; provides assurance that the local project will abide by pertinent federal rules and regulations.

Fishing activity - Any activity directly related to the raising and catching of fish and shellfish from streams, lakes and oceans, and to the processing of such fish for initial distribution through commercial market channels.

Formerly migratory child - A child who, with the concurrence of his or her parents, is deemed to be a migratory child on the basis that the student has been a currently migratory child within the past five years but is not now migrant.

Full-time Equivalent (FTE) - Funding for state migrant education programs is determined by the full-time equivalent residency of migratory children in the state as follows:

(1) A state accumulates one residency day for each day (during the calendar year period) that a migratory child resides in that State. Residency days for each migratory child are determined on the basis of that child's enrollment data in the Migrant Student Record Transfer System.

(2) A State's total of accumulated residency days is divided by 365 (each group of 365 accumulated residency days equals one full-time equivalent (FTE) migratory child).

Interstate agricultural and fishing migrant - A child who has moved with a parent or guardian within the past year across state boundaries in order that a parent, guardian, or member of his or her immediate family might secure temporary or seasonal employment in agriculture, fishing and/or related food processing activities.

Intrastate agricultural and fishing migrant - A child who has moved with a parent or guardian within the past year across school district boundaries within a state in order that a parent, guardian or member of his or her immediate family might secure temporary or seasonal employment in agriculture, fishing and/or related food processing activities.

Instructional services - For purposes of this manual, any direct supplementary services provided to eligible children by a local agency would fall into the instructional cost category on the budget sheet.

Kindergarten child - Under Oregon State law, ORS 336.092, refers to "...a child in the year immediately prior to enrollment in the first grade."

Local advisory committee (LAC) - A required component of a local project; should provide a means for community and parent input during the design, operation and evaluation of a project. A minimum of 51 percent of the council members must be parents of children eligible to participate in Title I-M projects.

Local operating agency - Denotes the local agency or sub-grantee with an approved project as the legal entity responsible for carrying out the provisions listed in the approved project application.

Local educational agency (LEA) - A public board or other public authority legally constituted within a state for either administrative control or direction of, or performance of a service function for, public elementary or secondary schools in a city, county, township, school district or other political subdivision of a state. Also, any combination of school districts or counties are recognized in a state as an administrative agency for its public elementary or secondary schools.

Mandatory school age - It is stated in ORS 339.010 that all children between the ages of 7 and 18 years who have not completed the 12th grade must be enrolled in school. ORS 339.030 provides some exceptions.

Medical care - Family consultation, referrals, follow-ups, record keeping, screening and emergency services related to medical and dental services, preventive medical care is covered by this term.

Migrant Education Service Center (MESC) - Central office funded by Title I-M providing coordinated services: The Migrant Student Record Transfer System (MSRTS), migrant education statewide inservice, staff development activities, project self-evaluation, and other requested services.

Migrant Program Allocation Sub-System (MPAS) - Used by the MSRTS Central Depository to determine full-time equivalence (FTE) of migrant pupils in a given state for purposes of general funding of ESEA Title I Migrant education programs.

Migrant Status (MS)- Refers to the following classifications of eligible migrant children: 1) interstate agricultural migrant, 2) intrastate agricultural migrant, 3) formerly agricultural migrant (five year), 4) interstate migratory fishers, 5) intrastate migratory fishers, 6) formerly migratory fishers. (five-year).

Migrant Student Record Transfer System (MSRTS) - A national computerized pupil record storage and retrieval system designed to help provide continuity of education for migrant children, centered in Little Rock, Arkansas, under contract with the U.S. Office of Education.

MSRTS Central Depository - The computer storage and processing facility in Little Rock, Arkansas.

MSRTS skills records clerk - The person in a local agency delegated the responsibility of coordination, collecting and recording all pertinent pupil data on a timely basis on the MSRTS transfer record and medical forms and transmitting such information to the teletype terminal location.

Migratory agricultural workers - Those who have moved from one school district to another in the same state or to a district in another state to find temporary or seasonal employment in one or more agricultural activities. (See "Agricultural activity.")

Migratory Fishermen - Those who have moved from one school district to another in the same state or to a district in another state to find temporary or seasonal employment in one or more fishing activities. (See "Fishing activity.")

Migratory timber harvesters - Those who have moved from one school district to another in that state or another state to obtain temporary or seasonal employment in timber harvest activities. (See "Timber harvester.")

Monitoring and evaluation - The process used by the Oregon Department of Education to provide information to the local agency, the O.D.E. and U.S.O.E. regarding project strengths, weaknesses and problem areas.

Non-certified staff - Persons hired by a local agency to accomplish the goals set forth in the project application who are not required by law to be certified, such as bilingual aides, MSRTS clerks, and home-school consultants.

Non-project school - A school which has eligible migratory children residing within its attendance area, but is not funded for a project under ESEA Title I Migrant Education, may be either public or private. For example, the school may have too few eligible children to warrant the implementation of a full-scale project.

Ongoing agency - A process employed by project staff members to determine the strenghts and weaknesses of the project activities in order to make the necessary modifications.

Operating agency - The local agency actually carrying out activities for migrant children under an approved application.

Oregon Department of Education - The legal entity of the State of Oregon which serves as the SEA.

Parent advisory council (PAC) - (See local advisory committee.)

Preschool program - Any formal instruction program including kindergarten designed for pre-first grade children sufficiently mature to benefit from such a program.

Project - A Title I-M funded educational or support service activity or set of activities administered by an SEA, LEA or other qualified agency for one or more migrant students.

Project officer - The state agency staff person assigned to assist a local project; responsible for communication between the state agency and the local project.

Project proposal - An application for a Title I-M grant by an eligible agency which provides evidence of need to conduct a Title I-M needs assessment or to plan and implement a Title I-M project after a needs assessment has established the advisability of implementing a project and has provided information as to what activities should be incorporated in the project. A project proposal must provide evidence that the local PAC was involved in planning the project and has approved the proposals. To be approved, a project proposal must comply with both state and federal laws and guidelines and with policy established by the Oregon Department of Education and/or the state coordinator of migrant education.

Public Law 89-10 - The Elementary and Secondary Education Act of 1965 (ESEA) which provides for the education for disadvantaged children under various titles.

Public Law 89-750 - An amendment to Public Law 89-10 which provides authorization for programs specifically designed to meet the special educational needs of children of migratory agricultural workers.

Public Law 95-561 - An amendment to Public Law 89-750 which mandates parent advisory councils at the state level and local school district (operating agency) level.

Region - A geographic area of the state designated by the state coordinator of migrant education. The region will contain one or more area projects. Certain services are coordinated in the region which cannot be efficiently and effectively provided on a statewide basis.

Regional consultant - An employee of the Department of Education or the Migrant Education Service Center who has been designated by the state coordinator of migrant education to be responsible for providing a specified region with technical assistance, staff development programs, consultation and other support services.

School age limits - ORS 339.115 provides that (except as provided in ORS 336.165) the district school board shall admit free of charge to the districts schools all children between the ages of six and twenty-one residing therein. The board has authority to enroll students above or below these age limits.

Self evaluation - A process conducted by project staff members and the regional consultant to determine if the project activities are effective in achieving the project goals and, if so, whether the goals adequately meet student needs.

Staff development - Activities carried out either by the state agency or the local agency to improve skills and/or competencies of any or all staff providing instructional or support services to the migrant students.

State advisory committee - A group of 10 or 15 persons recommended by the parent advisory committees throughout the state and appointed by the State Superintendent of Public Instruction to advise the state coordinator of Title I-M programs. The committee also reviews and recommends approval of the annual Title I-M state plan and all project proposals.

State education agency (SEA) - The governmental agency responsible for statewide education program supervision and administration. The legal entity in each state recognized by the U.S.O.E. as being the governing agency eligible to receive Title I-M funds and administer the Title I-M state program.

State coordinator of migrant education - The administrator of the Migrant Education Unit of the Compensatory Education Section of the Instructional Services Division, Oregon Department of Education. A person who the SEA holds responsible for development, operation and evaluation of ESEA Title I-M projects.

State entitlement - The total amount of Title I-M funds to be made available to the fiscal year. The U.S. Congress has delegated this responsibility to the Commissioner of Education subject to congressional dictates.

State program - The implementation of the overall plan for services, activities, personnel and materials set forth in the state application for a grant to provide education to migratory children.

Statute - An act of Congress signed into law by the President, or an act of the State Legislature signed into law by the Governor.

Supportive services - Includes any service that may be properly listed under the supportive service cost category on the budget sheet, which aids the child to benefit from the instructional services.

Teletype terminal - The machine used to transmit all pertinent pupil data via direct computer linkage to the MSRTS Central Depository in Little Rock, Arkansas.

Term of project - The period of time between the project beginning date and the date of the last services provided by the project.

Title I-M program - Title I Migrant Education Program.

Timber harvester - Any person involved in activities pertaining to (and limited to) harvesting timber, including planting and falling trees, disposing of unusable materials (such as slashings), and loading logs.

Uniform Migrant Student Educational Transfer Form - Of the two forms used by the MSRTS, the one used to record and transfer information about a student which is primarily academic in nature.

Uniform Migrant Student Medical Transfer Form - Of the two forms used by the MSRTS, the one used to record and transfer medical background information regarding a pupil.

United States Department of Education - The federal agency that has been assigned the responsibility of administering the national Title I, ESEA, Migrant Amendment programs; allocates funds and oversees the Title I-M programs of the 50 states.

Oregon Title I-M ESEA would like to express it's gratitude to the following organizations and states for their contributions of information regarding the completion of this Identification and Recruitment Manual.

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